

SENATE JOURNAL

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TWENTY-SECOND LEGISLATURE -- SECOND SESSION

Juneau, Alaska

Thursday

May 9, 2002

One Hundred Sixteenth Day

Pursuant to adjournment the Senate was called to order by President Halford at 11:14 a.m.

The roll showed twenty members present.

The prayer was offered by the Chaplain, Major Larry Fankhauser of The Salvation Army. Senator Hoffman moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Our Heavenly Father, we acknowledge that this is the day the Lord has made, we will rejoice and be glad in it. As one Nation under God, I pray that each Senator gathered here today would be found with keen mind, clear thought and purposeful direction.

Living in a state with diverse topography and diverse peoples, we need to look to You for wisdom and insight. As we do so, I know we can find a common ground and rest assured that the welfare and good of all can be realized. Thank You, Lord for all things this day. Amen.

Senator Wilken led the Senate in the Pledge of Allegiance.

Certification

Senator Leman moved and asked unanimous consent that the journal for the one hundred fifteenth legislative day be approved as certified by the Secretary. Without objection, it was so ordered.

Messages from the Governor**HB 411**

Message dated and received May 8 was read, stating the Governor signed the following bill and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

HOUSE BILL NO. 411 "An Act relating to physician assistants; providing that a physician assistant is a health care provider covered by certain laws relating to medical malpractice actions; adding physician assistants to the list of providers against whom unfair discrimination relating to health care insurance is prohibited and to the list of providers who can provide proof of disablement or handicap for the purpose of motor vehicle registration or for the purpose of obtaining a special license plate or a special parking permit; and providing for an effective date."

Chapter 18, SLA 2002
Effective Date: See Chapter

Messages from the House**SB 238**

Message dated May 8 was read, stating the House passed and returned:

CS FOR SENATE BILL NO. 238(RLS) "An Act exempting from the category of public records certain records and information relating to state safety plans, programs, and procedures, and to systems, facilities, and infrastructure in the state; and providing for an effective date."

The bill was referred to the Secretary for enrollment.

Message dated May 8 was read, stating the House passed and transmitted for consideration:

**First Reading and Reference of
House Resolutions****HJR 50**

HOUSE JOINT RESOLUTION NO. 50 BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE HOUSE SPECIAL COMMITTEE ON ECONOMIC DEVELOPMENT, TRADE AND TOURISM,

Supporting the participation of Taiwan in the annual summit of the World Health Assembly.

was read the first time and referred to the State Affairs Committee.

Concur Messages**SB 6**

Message dated May 8 was read, stating the House passed and returned for consideration CS FOR SENATE BILL NO. 6(FIN) with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL NO. 6(JUD) "An Act relating to required notice of eviction to mobile home park dwellers and tenants before redevelopment of the park."

Senator Leman moved that the Senate concur in the House amendment.

The question being: "Shall the Senate concur in the House amendment?" The roll was taken with the following result:

HCS CSSB 6(JUD)

Shall the Senate Concur in the House amendment to CSSB 6(FIN)?

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

and so, the Senate concurred in the House amendment, thus adopting HOUSE CS FOR CS FOR SENATE BILL NO. 6(JUD) "An Act relating to required notice of eviction to mobile home park dwellers and tenants before redevelopment of the park."

The Secretary was requested to notify the House.

The bill was referred to the Secretary for enrollment.

Standing Committee Reports

SB 87

The Judiciary Committee considered SENATE BILL NO. 87 "An Act providing special absentee ballots for voters in remote areas." Signing do pass: Senator Taylor, Chair, Senator Ellis. Signing no recommendation: Senators Cowdery, Therriault.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Office of the Governor

The bill was referred to the Finance Committee.

SB 235

The Judiciary Committee considered SENATE BILL NO. 235 "An Act relating to emergency and disaster relief forces as state employees for purposes of workers' compensation benefits; relating to the Emergency Management Assistance Compact and the implementation of the compact; and providing for an effective date" and recommended the adoption of the State Affairs Committee Substitute offered on page 2081. Signing do pass: Senator Taylor, Chair, Senators Therriault, Ellis, Cowdery.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Military and Veterans' Affairs

The bill was referred to the Rules Committee.

SB 268

The Finance Committee considered SENATE BILL NO. 268 "An Act relating to the issuance of state-guaranteed revenue bonds by the Alaska Housing Finance Corporation to finance mortgages for qualifying veterans; and providing for an effective date." Signing do pass: Senators Kelly, Donley, Cochairs, Senators Green, Austerman, Hoffman, Olson, Wilken, Leman.

The following previously published fiscal information applies:

Fiscal Note No. 1, Office of the Governor

Fiscal Note No. 2, zero, Department of Revenue

The bill was referred to the Rules Committee

SB 271

The Judiciary Committee considered SENATE BILL NO. 271 "An Act establishing the Alaska Marine and Rail Transportation Authority; establishing the marine and rail transportation fund; relating to ferries and ferry terminals; relating to the Alaska Railroad Corporation; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 271(JUD) "An Act establishing the Alaska Marine Highway Authority; establishing the marine highway transportation fund; relating to ferries and ferry terminals; and providing for an effective date."

Signing do pass: Senator Taylor, Chair, Senator Cowdery. Signing no recommendation: Senator Therriault. Signing do not pass: Senator Ellis.

The following previously published fiscal information applies:

Fiscal Note No. 1, Department of Community and Economic Development

Fiscal Note No. 2, Department of Natural Resources

The bill was referred to the Finance Committee.

SB 362

Forthcoming fiscal information (page 3066) for SENATE BILL NO. 362 "An Act relating to rights-of-way" was published today:

Fiscal Note No. 1, zero, Department of Natural Resources

SB 366

The Resources Committee considered SENATE BILL NO. 366 "An Act relating to the fee for the Chitina dip net fishing permit; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 366(RES) "An Act relating to the fee for the Chitina dip net fishing permit and to Chitina fishery access; and providing for an effective date."

Signing do pass: Senator Torgerson, Chair, Senators Taylor, Stevens, Wilken.

The following fiscal information was published today:

Fiscal Note No. 1, Department of Fish and Game

The bill was referred to the Finance Committee.

HB 180

The Judiciary Committee considered CS FOR HOUSE BILL NO. 180(JUD) "An Act relating to persons who provide services related to children; establishing a legislative task force on child services; and providing for an effective date." Signing do pass: Senator Taylor, Chair, Senators Cowdery, Ellis. Signing no recommendation: Senator Therriault.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Health and Social Services

The bill was referred to the Rules Committee.

HB 287

The Resources Committee considered CS FOR HOUSE BILL NO. 287(FIN) "An Act relating to the exemption of commercial fishing entry permits from claims of creditors and execution on an interest in a

limited entry permit; and providing for an effective date." Signing do pass: Senator Torgerson, Chair, Senators Stevens, Wilken. Signing no recommendation: Senator Taylor.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Fish and Game

Fiscal Note No. 3, zero, Department of Community and Economic Development

The bill was referred to the Finance Committee.

HB 348

The Judiciary Committee considered HOUSE BILL NO. 348 "An Act relating to violations of domestic violence protective orders." Signing do pass: Senator Taylor, Chair, Senator Ellis. Signing no recommendation: Senators Therriault, Cowdery.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Administration

Fiscal Note No. 2, zero, Department of Law

The bill was referred to the Rules Committee.

HB 350

The Judiciary Committee considered CS FOR HOUSE BILL NO. 350(FIN) am "An Act relating to murder, conspiracy, criminal mischief, and terroristic threatening; and providing for an effective date" and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE BILL NO.
350(JUD)

Signing do pass: Senator Taylor, Chair. Signing no recommendation: Senators Therriault, Cowdery, Ellis.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Alaska Court System

Fiscal Note No. 3, indeterminate, Department of Law

Fiscal Note No. 4, indeterminate, Department of Administration

Fiscal Note No. 5, indeterminate, Department of Corrections

The bill was referred to the Finance Committee.

HB 443

The Finance Committee considered CS FOR HOUSE BILL NO. 443(L&C) "An Act retroactively extending the application and licensing deadlines and amending the effective date of certain provisions relating to regulation of persons who practice tattooing and permanent cosmetic coloring or body piercing; and providing for an effective date." Signing do pass: Senator Donley, Cochair. Signing no recommendation: Senator Kelly, Cochair, Senators Austerman, Hoffman, Olson, Leman.

The following previously published fiscal information applies:

Fiscal Note No. 2, Department of Environmental Conservation

The bill was referred to the Rules Committee.

HB 447

The Resources Committee considered HOUSE BILL NO. 447 "An Act relating to the interest rates that may be charged on loans by the Commercial Fishing and Agriculture Bank." Signing no recommendation: Senator Torgerson, Chair, Senators Stevens, Wilken. Signing do pass: Senator Taylor.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Community and Economic Development

The bill was referred to the Finance Committee.

HB 501

The Judiciary Committee considered HOUSE BILL NO. 501 "An Act relating to the use of unclaimed property to pay court-ordered restitution; and providing for an effective date." Signing do pass: Senator Taylor, Chair, Senators Therriault, Ellis, Cowdery.

The following previously published fiscal information applies:

Fiscal Note No. 1, zero, Department of Law

Fiscal Note No. 2, zero, Department of Revenue

The bill was referred to the Rules Committee.

SJR 32

The Judiciary Committee considered SENATE JOINT RESOLUTION NO. 32 Proposing amendments to the Constitution of the State of Alaska relating to a marine and rail transportation fund, and recommended it be replaced with

CS FOR SENATE JOINT RESOLUTION NO. 32(JUD) Proposing amendments to the Constitution of the State of Alaska relating to a marine highway transportation fund.

Signing do pass: Senator Taylor, Chair, Senator Cowdery. Signing no recommendation: Senator Therriault. Signing do not pass: Senator Ellis.

The following previously published fiscal information applies:
Fiscal Note No. 1, Office of the Governor

The resolution was referred to the Finance Committee.

SB 359

The Rules Committee considered SENATE BILL NO. 359 "An Act relating to organization grants for mergers, consolidations, or unifications involving third class boroughs" and recommended it be replaced with

CS FOR SENATE BILL NO. 359(RLS) "An Act relating to organization grants for mergers, consolidations, or unifications involving third class boroughs; and relating to identification by the Local Boundary Commission of areas that meet the standards for borough incorporation."

Signing to calendar: Senator Phillips, Chair, Senator Cowdery. Signing under other recommendations: Senator Therriault.

The following previously published fiscal information applies:
Fiscal Note No. 2, Department of Community and Economic
Development

The bill is on today's calendar.

SB 369

The Rules Committee considered SENATE BILL NO. 369 "An Act relating to trusts, including trust protectors, trustee advisors, and transfers of trust interests, and to creditors' claims against property subject to a power of appointment; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 369(RLS)

Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Halford, Ellis.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Department of Law

The bill is on today's calendar.

SB 370

The Rules Committee considered SENATE BILL NO. 370 "An Act establishing procedures relating to constitutional conventions." Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Halford.

The bill is on today's calendar.

SB 371

The Rules Committee considered SENATE BILL NO. 371 "An Act exempting the use of munitions in certain areas from a waste disposal permit requirement of the Department of Environmental Conservation." Signing under other recommendations: Senator Phillips, Chair, Senator Ellis. Signing to calendar: Senators Cowdery, Therriault.

The bill is on today's calendar.

HB 243

The Rules Committee considered CS FOR HOUSE BILL NO. 243(JUD) "An Act relating to sexual assault or abuse of a minor." Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Ellis.

The bill is on today's calendar.

HB 281

The Rules Committee considered CS FOR HOUSE BILL NO. 281(JUD) "An Act relating to civil liability for providing alcoholic beverages to a person under 21 years of age; and providing for an effective date." Signing to calendar: Senator Phillips, Chair, Senators Halford, Cowdery, Therriault.

The bill is on today's calendar.

HB 306

The Rules Committee considered CS FOR HOUSE BILL NO. 306(L&C) "An Act authorizing the Department of Community and Economic Development to issue permits to certain agencies to purchase, possess, and use certain drugs for euthanizing domestic animals." Signing under other recommendations: Senator Phillips, Chair. Signing to calendar: Senators Cowdery, Therriault.

The bill is on today's calendar.

HB 358

The Rules Committee considered CS FOR HOUSE BILL NO. 358(CRA) "An Act relating to an optional exemption from municipal property taxes for certain land from which timber is harvested and for certain improvements used in or necessary to the harvest of timber; and providing for an effective date." Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Therriault.

The bill is on today's calendar.

Recess

Senator Phillips moved and asked unanimous consent that the Senate stand in recess to a call of the Chair. Without objection, the Senate recessed at 11:30 a.m.

After Recess

The Senate reconvened at 2:17 p.m.

Standing Committee Reports (continued)**SB 235**

The Rules Committee considered SENATE BILL NO. 235 "An Act relating to emergency and disaster relief forces as state employees for purposes of workers' compensation benefits; relating to the Emergency Management Assistance Compact and the implementation of the compact; and providing for an effective date." Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Ellis, Halford, Therriault.

The bill is on today's calendar.

SB 247

The Rules Committee considered SENATE BILL NO. 247 "An Act making capital appropriations and reappropriations, and capitalizing funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date." Signing to calendar: Senator Phillips, Chair, Senators Cowdery, Halford. Signing under other recommendations: Senator Ellis.

The bill is on today's calendar.

Consideration of the Calendar**Second Reading of Senate Bills****SB 235**

SENATE BILL NO. 235 "An Act relating to emergency and disaster relief forces as state employees for purposes of workers' compensation benefits; relating to the Emergency Management Assistance Compact

and the implementation of the compact; and providing for an effective date" was read the second time.

Senator Therriault, Chair, moved and asked unanimous consent for the adoption of the State Affairs Committee Substitute offered on page 2081. Without objection, CS FOR SENATE BILL NO. 235(STA) was adopted and read the second time.

Senator Lemman moved and asked unanimous consent that the bill be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 235(STA) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 235(STA) "An Act relating to emergency and disaster relief forces as state employees for purposes of workers' compensation benefits; relating to the Emergency Management Assistance Compact and the implementation of the compact; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 235(STA)
Third Reading - Final Passage
Effective Date

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Lemman, Lincoln, Olson, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

and so, CS FOR SENATE BILL NO. 235(STA) passed the Senate.

Senator Lemman moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

SB 247

SENATE BILL NO. 247 "An Act making capital appropriations and reappropriations, and capitalizing funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date" was read the second time.

Senator Kelly, Cochair, moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 3223. Without objection, CS FOR SENATE BILL NO. 247(FIN) "An Act making and amending appropriations and reappropriations; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date" was adopted and read the second time.

Amendment No. 1 was not offered.

Senator Olson offered Amendment No. 2:

Page 75, lines 13 and 14:

Delete "Center Renovation"

Insert "Facilities and Equipment"

Senator Olson moved for the adoption of Amendment No. 2. Without objection, Amendment No. 2 was adopted.

Senator Lincoln offered Amendment No. 3:

Department of Community and Economic Development
Grants to Municipalities

Page 9, lines 29-32:

Delete "Municipality of Anchorage - Girdwood Road Service Area Road and Drainage System Rehabilitation (ED 10-25)"

Insert "City of Cordova - Tsunami Warning System"

Under General Funds:

Delete "70,000"

Insert "34,500"

Insert "Native Village of Tanacross - Old Tanacross Village Cemetery Dike and Repairs"

Under General Funds:

Insert "17,500"

Insert "Rampart Village Cemetery Repairs"

Under General Funds:

Insert "18,000"

Senator Lincoln moved for the adoption of Amendment No. 3.
Objections were heard.

The question being: "Shall Amendment No. 3 be adopted?" The roll
was taken with the following result:

CSSB 247(FIN) am

Second Reading

Amendment No. 3

YEAS: 6 NAYS: 14 EXCUSED: 0 ABSENT: 0

Yeas: Davis, Ellis, Elton, Hoffman, Lincoln, Olson

Nays: Austerman, Cowdery, Donley, Green, Halford, Kelly, Leman,
Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

and so, Amendment No. 3 failed.

Senator Taylor offered Amendment No. 4:

Page 51, lines 8 - 10:

Delete "Alaska Marine Highway: Prince William Sound Fast
Vehicle Ferry (ED 99)"

Under Allocations:

Delete "20,100,000"

Senator Taylor moved for the adoption of Amendment No. 4.
Objections were heard.

The question being: "Shall Amendment No. 4 be adopted?" The roll
was taken with the following result:

CSSB 247(FIN) am
Second Reading
Amendment No. 4

YEAS: 11 NAYS: 9 EXCUSED: 0 ABSENT: 0

Yeas: Cowdery, Donley, Green, Kelly, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Austerman, Davis, Ellis, Elton, Halford, Hoffman, Leman, Lincoln, Olson

and so, Amendment No. 4 was adopted.

Senator Leman moved and asked unanimous consent that the bill be considered engrossed, advanced to third reading and placed on final passage. Senator Ellis objected.

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

CSSB 247(FIN) am
Advance from Second to Third Reading?

YEAS: 14 NAYS: 6 EXCUSED: 0 ABSENT: 0

Yeas: Austerman, Cowdery, Donley, Green, Halford, Kelly, Leman, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Hoffman, Lincoln, Olson

and so, the bill failed to advance to third reading.

CS FOR SENATE BILL NO. 247(FIN) am will be on the May 10 calendar.

SB 359

SENATE BILL NO. 359 "An Act relating to organization grants for mergers, consolidations, or unifications involving third class boroughs" was read the second time.

Senator Phillips, Chair, moved and asked unanimous consent for the adoption of the Rules Committee Substitute offered on page 3259. Without objection, CS FOR SENATE BILL NO. 359(RLS) "An Act relating to organization grants for mergers, consolidations, or unifications involving third class boroughs; and relating to identification by the Local Boundary Commission of areas that meet the standards for borough incorporation" was adopted and read the second time.

Senator Leman moved and asked unanimous consent that the bill be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 359(RLS) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 359(RLS) "An Act relating to organization grants for mergers, consolidations, or unifications involving third class boroughs; and relating to identification by the Local Boundary Commission of areas that meet the standards for borough incorporation" pass the Senate?" The roll was taken with the following result:

CSSB 359(RLS)

Third Reading - Final Passage

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

and so, CS FOR SENATE BILL NO. 359(RLS) passed the Senate and was referred to the Secretary for engrossment.

SB 369

SENATE BILL NO. 369 "An Act relating to trusts, including trust protectors, trustee advisors, and transfers of trust interests, and to creditors' claims against property subject to a power of appointment; and providing for an effective date" was read the second time.

Senator Phillips, Chair, moved and asked unanimous consent for the adoption of the Rules Committee Substitute offered on page 3260. Without objection, CS FOR SENATE BILL NO. 369(RLS) was adopted and read the second time.

Senator Leman moved and asked unanimous consent that the bill be considered engrossed, advanced to third reading and placed on final passage. Senator Ellis objected.

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

CSSB 369(RLS)

Advance from Second to Third Reading?

YEAS: 14 NAYS: 6 EXCUSED: 0 ABSENT: 0

Yeas: Austerman, Cowdery, Donley, Green, Halford, Kelly, Leman, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Hoffman, Lincoln, Olson

and so, the bill failed to advance to third reading.

CS FOR SENATE BILL NO. 369(RLS) will be on the May 10 calendar.

SB 370

SENATE BILL NO. 370 "An Act establishing procedures relating to constitutional conventions" was read the second time.

Senator Therriault, Chair, moved and asked unanimous consent for the adoption of the State Affairs Committee Substitute offered on page 3145. Without objection, CS FOR SENATE BILL NO. 370(STA) was adopted and read the second time.

Senator Leman moved and asked unanimous consent that the bill be considered engrossed, advanced to third reading and placed on final passage. Senator Ellis objected.

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

CSSB 370(STA)

Advance from Second to Third Reading?

YEAS: 14 NAYS: 6 EXCUSED: 0 ABSENT: 0

Yeas: Austerman, Cowdery, Donley, Green, Halford, Kelly, Leman, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Hoffman, Lincoln, Olson

and so, the bill failed to advance to third reading.

CS FOR SENATE BILL NO. 370(STA) will be on the May 10 calendar.

SB 371

SENATE BILL NO. 371 "An Act exempting the use of munitions in certain areas from a waste disposal permit requirement of the Department of Environmental Conservation" was read the second time.

Senator Torgerson, Chair, moved and asked unanimous consent for the adoption of the Resources Committee Substitute offered on page 3175. Senator Ellis objected, then withdrew his objection. There being no further objections, CS FOR SENATE BILL NO. 371(RES) was adopted and read the second time.

Senator Leman moved and asked unanimous consent that the bill be considered engrossed, advanced to third reading and placed on final passage. Senator Ellis objected.

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

CSSB 371(RES)

Advance from Second to Third Reading?

YEAS: 13 NAYS: 6 EXCUSED: 0 ABSENT: 1

Yeas: Austerman, Cowdery, Donley, Green, Halford, Leman, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Hoffman, Lincoln, Olson

Absent: Kelly

and so, the bill failed to advance to third reading.

CS FOR SENATE BILL NO. 371(RES) will be on the May 10 calendar.

Second Reading of House Bills

HB 243

CS FOR HOUSE BILL NO. 243(JUD) "An Act relating to sexual assault or abuse of a minor" was read the second time.

Senator Leman moved and asked unanimous consent to be shown as a cross sponsor on the bill. Without objection, it was so ordered.

Senator Leman moved and asked unanimous consent that the bill be advanced to third reading and placed on final passage. Senator Ellis objected.

Senator Ellis called the Senate on the remainder of today's calendar. The call was satisfied.

The question being: "Shall the bill be advanced to third reading?" The roll was taken with the following result:

CSHB 243(JUD)

Advance from Second to Third Reading?

YEAS: 14 NAYS: 6 EXCUSED: 0 ABSENT: 0

Yeas: Austerman, Cowdery, Donley, Green, Halford, Kelly, Leman, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Davis, Ellis, Elton, Hoffman, Lincoln, Olson

and so, the bill failed to advance to third reading.

CS FOR HOUSE BILL NO. 243(JUD) will be on the May 10 calendar.

HB 281

CS FOR HOUSE BILL NO. 281(JUD) "An Act relating to civil liability for providing alcoholic beverages to a person under 21 years of age; and providing for an effective date" was read the second time.

Senator Lemman moved and asked unanimous consent that the bill be advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR HOUSE BILL NO. 281(JUD) was read the third time.

Senators Donley, Taylor, Davis, Ellis, Lincoln, Elton, Cowdery moved and asked unanimous consent to be shown as cross sponsors on the bill. Without objection, it was so ordered.

The question being: "Shall CS FOR HOUSE BILL NO. 281(JUD) "An Act relating to civil liability for providing alcoholic beverages to a person under 21 years of age; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 281(JUD)
Third Reading - Final Passage
Effective Date

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Lemman, Lincoln, Olson, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

and so, CS FOR HOUSE BILL NO. 281(JUD) passed the Senate.

Senator Lemman moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was signed by the President and Secretary and returned to the House.

HB 306

CS FOR HOUSE BILL NO. 306(L&C) "An Act authorizing the Department of Community and Economic Development to issue permits to certain agencies to purchase, possess, and use certain drugs for euthanizing domestic animals" was read the second time.

Senator Leman moved and asked unanimous consent that the bill be advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR HOUSE BILL NO. 306(L&C) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 306(L&C) "An Act authorizing the Department of Community and Economic Development to issue permits to certain agencies to purchase, possess, and use certain drugs for euthanizing domestic animals" pass the Senate?" The roll was taken with the following result:

CSHB 306(L&C)

Third Reading - Final Passage

YEAS: 18 NAYS: 2 EXCUSED: 0 ABSENT: 0

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Stevens, Taylor, Torgerson, Ward, Wilken

Nays: Phillips, Therriault

and so, CS FOR HOUSE BILL NO. 306(L&C) passed the Senate.

Senator Therriault gave notice of reconsideration.

HB 358

CS FOR HOUSE BILL NO. 358(CRA) "An Act relating to an optional exemption from municipal property taxes for certain land from which timber is harvested and for certain improvements used in or necessary to the harvest of timber; and providing for an effective date" was read the second time.

Senator Leman moved and asked unanimous consent that the bill be

advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR HOUSE BILL NO. 358(CRA) was read the third time.

Senator Taylor moved and asked unanimous consent to be shown as a cross sponsor on the bill. Without objection, it was so ordered.

The question being: "Shall CS FOR HOUSE BILL NO. 358(CRA) "An Act relating to an optional exemption from municipal property taxes for certain land from which timber is harvested and for certain improvements used in or necessary to the harvest of timber; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 358(CRA)
Third Reading - Final Passage
Effective Date

YEAS: 20 NAYS: 0 EXCUSED: 0 ABSENT: 0

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Phillips, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

and so, CS FOR HOUSE BILL NO. 358(CRA) passed the Senate.

Senator Leman moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered.

Senator Ellis gave notice of reconsideration.

Third Reading of Senate Bills

SB 205

CS FOR SENATE BILL NO. 205(RES) was read the third time.

The question being: "Shall CS FOR SENATE BILL NO. 205(RES)

"An Act relating to control of nuisance wild animals; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSSB 205(RES)

Third Reading - Final Passage

Effective Dates

YEAS: 19 NAYS: 1 EXCUSED: 0 ABSENT: 0

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

Nays: Phillips

and so, CS FOR SENATE BILL NO. 205(RES) passed the Senate.

Senator Leman moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clauses. Without objection, it was so ordered.

Senator Ellis gave notice of reconsideration.

Third Reading of House Bills

HB 196

CS FOR HOUSE BILL NO. 196(JUD) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 196(JUD) "An Act establishing a right of action for a legal separation; requiring a report about legal separations; and amending Rule 42(a), Alaska Rules of Civil Procedure" pass the Senate?" The roll was taken with the following result:

CSHB 196(JUD)

Third Reading - Final Passage
Court Rule

YEAS: 18 NAYS: 2 EXCUSED: 0 ABSENT: 0

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Stevens, Therriault, Torgerson, Ward, Wilken

Nays: Phillips, Taylor

and so, CS FOR HOUSE BILL NO. 196(JUD) passed the Senate.

Senator Leman moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the Court Rule change. Without objection, it was so ordered.

Senator Ellis gave notice of reconsideration.

HB 262

SENATE CS FOR HOUSE BILL NO. 262(RLS) was read the third time.

The question being: "Shall SENATE CS FOR HOUSE BILL NO. 262(RLS) "An Act relating to the accounting for and appropriations of certain state program receipts; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

SCS HB 262(RLS)

Third Reading - Final Passage
Effective Date

YEAS: 14 NAYS: 6 EXCUSED: 0 ABSENT: 0

Yeas: Donley, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Phillips, Stevens, Torgerson, Ward, Wilken

Nays: Austerman, Cowdery, Davis, Ellis, Taylor, Therriault

and so, SENATE CS FOR HOUSE BILL NO. 262(RLS) passed the Senate.

Senator Leman moved and asked unanimous consent that the vote on

the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered.

Senator Ellis gave notice of reconsideration.

HB 355

CS FOR HOUSE BILL NO. 355(CRA) was read the third time.

The question being: "Shall CS FOR HOUSE BILL NO. 355(CRA) "An Act relating to the taxation of mobile telecommunications services by municipalities; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

CSHB 355(CRA)

Third Reading - Final Passage

Effective Dates

YEAS: 19 NAYS: 1 EXCUSED: 0 ABSENT: 0

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Leman, Lincoln, Olson, Phillips, Stevens, Therriault, Torgerson, Ward, Wilken

Nays: Taylor

and so, CS FOR HOUSE BILL NO. 355(CRA) passed the Senate.

Senator Leman moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clauses. Without objection, it was so ordered and the bill was signed by the President and Secretary and returned to the House.

Citations

Honoring – Petersburg High School Cheerleaders

Representative(s) Wilson

Senator(s) Taylor, Halford, Green, Kelly, Austerman, Lincoln, Davis, Elton, Leman, Wilken, Hoffman, Stevens, Cowdery

Senator Leman moved and asked unanimous consent that the citation

be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

Unfinished Business

SB 230

Senator Green, Chair, moved and asked unanimous consent that the Health, Education and Social Services Committee referral be waived on SENATE BILL NO. 230 "An Act relating to recommending or refusing psychotropic drugs as a treatment for children and to the evaluation and treatment of children with behavioral or psychological problems." Without objection, the bill was referred to the Judiciary Committee.

SB 366

Senator Kelly, Cochair, moved and asked unanimous consent that the Finance Committee referral be waived on SENATE BILL NO. 366 "An Act relating to the fee for the Chitina dip net fishing permit; and providing for an effective date." Without objection, the bill was referred to the Rules Committee.

SB 1

Senators Ellis, Therriault, Elton, Cowdery, Donley, Olson, Stevens, Torgerson moved and asked unanimous consent to be shown as cosponsors on SPONSOR SUBSTITUTE FOR SENATE BILL NO. 1 "An Act relating to the base student allocation used in the formula for state funding of public education; and providing for an effective date." Without objection, it was so ordered.

Reconsideration of House Bills

HB 381

Senator Ellis requested that the reconsideration on HOUSE BILL NO. 381 "An Act relating to the crime of failure to stop at the direction of a peace officer; and providing for an effective date" be taken up. The bill was before the Senate on reconsideration.

Senator Ellis moved that the bill be returned to second reading for the

purpose of a specific amendment, that being Amendment No. 1. Without objection, the bill was returned to second reading.

Senators Ellis, Halford, Lemman offered Amendment No. 1:

Page 1, lines 7 - 11:

Delete all material.

Insert "commission of that offense,

(1) the person violates AS 28.35.040;

(2) the person is committing vehicle theft in the first or second degree; or

(3) as a result of the person's operation or driving, an accident occurs or a person suffers serious physical injury; in this paragraph, "serious physical injury" has the meaning given in AS 11.81.900 [A TRAFFIC LAW OR COMMITS ANOTHER CRIME. IN THIS SUBSECTION,

(1) "CRIME" HAS THE MEANING GIVEN IN AS 11.81.900;

(2) "TRAFFIC LAW" HAS THE MEANING GIVEN IN AS 28.15.261]."

Senator Ellis moved for the adoption of Amendment No. 1. Without objection, Amendment No. 1 was adopted.

The bill was automatically in third reading on reconsideration.

The question to be reconsidered: "Shall HOUSE BILL NO. 381 am S "An Act relating to the crime of failure to stop at the direction of a peace officer; and providing for an effective date" pass the Senate?" The roll was taken with the following result:

HB 381 am S

Third Reading - On Reconsideration

Effective Date

YEAS: 19 NAYS: 0 EXCUSED: 0 ABSENT: 1

Yeas: Austerman, Cowdery, Davis, Donley, Ellis, Elton, Green, Halford, Hoffman, Kelly, Lemman, Lincoln, Olson, Stevens, Taylor, Therriault, Torgerson, Ward, Wilken

Absent: Phillips

and so, HOUSE BILL NO. 381 am S passed the Senate on reconsideration.

Senator Leman moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered and the bill was referred to the Secretary for engrossment.

HB 362

Senator Leman moved and asked unanimous consent that the time for reconsideration on SENATE CS FOR HOUSE BILL NO. 362(RLS) "An Act extending the termination date of the Board of Governors of the Alaska Bar Association" be held for one legislative day. Without objection, it was so ordered.

Announcements

Announcements are at the end of the journal.

Engrossment**SB 235**

CS FOR SENATE BILL NO. 235(STA) "An Act relating to emergency and disaster relief forces as state employees for purposes of workers' compensation benefits; relating to the Emergency Management Assistance Compact and the implementation of the compact; and providing for an effective date" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

SB 359

CS FOR SENATE BILL NO. 359(RLS) "An Act relating to organization grants for mergers, consolidations, or unifications involving third class boroughs; and relating to identification by the Local Boundary Commission of areas that meet the standards for borough incorporation" was engrossed, signed by the President and Secretary and transmitted to the House for consideration.

HB 381

HOUSE BILL NO. 381 am S "An Act relating to the crime of failure to stop at the direction of a peace officer; and providing for an effective date" was engrossed, signed by the President and Secretary and returned to the House for consideration.

Adjournment

Senator Leman moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., July 10, 2002. Without objection, the Senate adjourned at 4:21 p.m.

Heidi Vogel
Secretary of the Senate

July 2002

Announcements

Americans with Disabilities Act Notice - Persons with disabilities who require special accommodation or alternative communication formats to access committee meetings may contact the appropriate committee office or the Legislative Information Office in their community. Reasonable advance notice is needed to accommodate the request. For further information, call the ADA Coordinator at 465-3854 Voice/465-4980 TDD.

STANDING COMMITTEES

+ indicates teleconference
 = indicates bill previously heard/scheduled

FINANCE

May 09 Thursday Senate Finance 532 9:00 AM
 HB 332 COUNCIL ON DOMESTIC VIOLENCE
 HB 296 MUNICIPAL MERGER AND CONSOLIDATION
 HB 239 VOCATIONAL EDUCATION PILOT PROGRAM
 HB 53 SEISMIC HAZARDS SAFETY COMMISSION
 Bills Previously Heard/Scheduled
 -- Teleconference Upon Request --

May 10 Friday Senate Finance 532 9:00 AM
 SB 55 PIONEERS' AND VETERANS' HOME/ADVISORY BD
 HB 447 COM FISH & AGRICULTURE BANK INTEREST RATE
 HB 350 TERRORISTIC THREATS
 HB 287 EXEMPT ENTRY PERMITS FROM CREDITOR CLAIMS
 HB 471 AIDEA LOANS AND DIVIDEND
 Bills Previously Heard/Scheduled
 -- Teleconference Upon Request --

May 10 Friday Senate Finance 532 4:00 PM
 SB 372 TRANSPORTATION BONDS
 Bills Previously Heard/Scheduled
 -- Teleconference Upon Request --

HEALTH, EDUCATION & SOCIAL SERVICES

May 09 Thursday Fahrenkamp 203 1:30 PM
 -- Meeting Canceled --
 -- Location Change --
 = SB 230 PSYCHOTROPIC DRUGS FOR CHILDREN

JUDICIARY

May 10 Friday Beltz 211 1:30 PM
 + HB 317 STALKING & PROTECTIVE ORDERS
 + HB 27 HOME INSPECTORS/CONTRACTORS
 + HB 182 MOTOR VEHICLE SALES AND DEALERS
 + HB 393 SALES OF BUSINESS OPPORTUNITIES
 + HB 489 CRUELTY TO ANIMALS
 + HB 499 SUCCESSOR LIABILITY FOR PRODUCT LIABILITY
 + HB 246 OMNIBUS INSURANCE BILL
 + HB 252 CHILDREN IN NEED OF AID: SERVICES & LIAB.
 <Pending Referral>
 + Bills Previously Heard/Scheduled

LABOR & COMMERCE

May 09 Thursday Beltz 211 1:30 PM
 -- Meeting Canceled --
 += SB 320 MOTOR VEHICLE INSURANCE & REPAIRS
 Bills Previously Heard/Scheduled

RESOURCES

May 10 Friday Butrovich 205 3:30 PM
 + HB 527 MINTO FLATS GAME REFUGE
 Bills Previously Heard/Scheduled

RULES

May 09 Thursday Fahrenkamp 203 9:30 AM
 SB 54 ALASKA VETERANS ADVISORY COUNCIL
 SB 247 REAPPROPRIATIONS & CAPITAL APPROPRIATIONS
 SB 267 ALASKA VETERANS' MEM.ENDOWMENT FUND
 = HB 389 MUNI TAX EXEMPTION: DETERIORATED PROPERTY
 SCR 38 SUSPEND UNIFORM RULES FOR HB 389
 HB 420 REPEAL SUNSET FOR TEMP WATER USE PERMITS

May 09 Thursday Fahrenkamp 203 11:30 AM
 SB 235 EMERGENCY MANAGEMENT ASSISTANCE COMPACT

May 10 Friday Fahrenkamp 203 9:30 AM
 = SB 252 EMPLOYMENT AND TRAINING PROGRAM/BOARD
 HB 56 MINIMUM WAGE
 HB 162 ABSENCES UNDER LONGEVITY BONUS PROGRAM
 HB 209 PROGRAM FOR FORMER FOSTER CHILDREN
 = HB 458 STATE EMPLOYEE PROBATIONARY PERIOD
 HB 526 DISCLOSURE BY ETHICS COMMITTEE MEMBERS
 Professional Services Contract Amendment-
 Patrick Coughlin

May 11 Saturday Fahrenkamp 203 10:30 AM
 SB 268 GUARANTEED REVENUE BONDS FOR VETERANS
 HB 58 UNEMPLOYMENT COMPENSATION BENEFITS
 <Pending Referral>
 HB 180 YOUTH SERVICES: REGULATION & TASK FORCE
 HB 348 VIOLATION OF A DOMESTIC VIOLENCE ORDER
 HB 443 TATTOOING AND BODY PIERCING
 HB 474 ANCHORAGE COASTAL WILDLIFE REFUGE
 HB 501 UNCLAIMED PROPERTY & RESTITUTION
 HB 517 SURPLUS/OBSOLETE STATE PROPERTY

STATE AFFAIRS

May 09 Thursday Beltz 211 4:30 PM
 -- Time Change --
 + HB 303 INDIVIDUAL INCOME TAX
 Bills Previously Heard/Scheduled

TRANSPORTATION

May 09 Thursday Butrovich 205 1:30 PM
 -- Meeting Canceled --
 HB 507 NAMING WEIGH STATION AND BIKE TRAIL
 Bills Previously Heard/Scheduled

JOINT COMMITTEES**CONFERENCE COMMITTEES ON HB 403 & HB 404**

May 09 Thursday Senate Finance 532 7:00 PM
 -- Time Change --
 = HB 403 APPROP: OPERATING BUDGET/LOANS/FUNDS
 = HB 404 APPROP: MENTAL HEALTH BUDGET

May 10 Friday Senate Finance 532 4:00 PM
 = HB 403 APPROP: OPERATING BUDGET/LOANS/FUNDS
 = HB 404 APPROP: MENTAL HEALTH BUDGET

LEGISLATIVE BUDGET & AUDIT

May 10 Friday House Finance 519 12:00 PM